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| 10/632,530 | 08/01/2003 | Philip Mattos | 851963.410 | 2656 |

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| EXAMINER | |
|---|---|
| WANG, TED M | |

| ART UNIT | PAPER NUMBER |
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| 2611 | |

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

| Office Action Summary | Application No. | Applicant(s) |
|---|---|---|
| | 10/632,530 | MATTOS ET AL |
| | Examiner | Art Unit |
| | Ted M. Wang | 2611 |

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)☒ Responsive to communication(s) filed on *24 August 2007*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4)☒ Claim(s) *1-20* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-3,5,6,8-14,16,17,19 and 20* is/are rejected.

7)☒ Claim(s) *4,7,15,18* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

## DETAILED ACTION

### *Response to Amendment*

1. The Affidavit filed on 8/24/2007 under 37 CFR 1.131 is sufficient to overcome the Lennen (US 7,061,972) reference. Thus, Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn. Rejections based on the newly cited reference(s) follow.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3. Claims 5, 8-12, 16, 19 and 20 are rejected under 35 U.S.C. 102(e) as being anticipated by Lenen (US 6,888,879).

- With regard claim 5, Lenen discloses a GPS receiver for processing a plurality of received broadcast signals, the broadcast signals being of a type each having a different respective known digital code, the GPS receiver comprising:

a digital sampler (Fig.3 elements 29 and 39);

a memory arrangement (Fig.8 element 83); and

a plurality of correlators (Fig.8 element 88), being arranged to be operable in two modes (column 5 lines 50-61 and column 9 line 60 – column 10 line 6) wherein:

in an acquisition mode:

the digital sampler samples the received broadcast signals to produce a digital bit stream at a first bit rate (Fig.8 elements 29, 39 and S1, where S1 the first bit rate at 2.5 MHz, column 8 lines 22-25);

the memory arrangement receives the digital bit stream and outputs at a second bit rate, being higher than the first bit rate (Fig.8 element S2, where S2 is the second bit rate at 25 MHz which is 10 times faster than that of first bit rat, column 8 lines 22-25 and column 10 lines 14-36);

the plurality of correlators (Fig.8 element 88) receive the digital bit stream at the second bit rate (Fig.8 element S3 and column 10 lines 7-13), and each of the plurality of correlators correlates the digital bit stream with a same locally generated version of one of the different known digital codes (Fig.8 elements 86, 87 and S3, column 10 lines 7-37); and

in a tracking mode:

the digital sampler (Fig.3 elements 29 and 39) samples the received broadcast signals to produce a digital bit stream at the first bit rate (Fig.8 elements 29, 39 and S1, where S1 the first bit rate at 2.5 MHz, column 8 lines 22-25) and provides that digital bit stream direct to each of the plurality of correlators (column 10 lines 1-6), each correlator correlates that digital bit stream with a different locally generated version of one of the known digital codes (Fig.8 elements 86, 87 and S3, column 10 lines 7-37).

- With regard claims 8 and 12, which is an apparatus claim related to claim 5, all limitation is contained in claim 5. The explanation of all the limitation is already addressed in the above paragraph.
- With regard claim 9, Lennen further discloses wherein the correlator unit comprises a plurality of correlators (column 10 lines 1-6), each to correlate the received digital bit stream with a same one of the digital codes (Fig.8 elements 86, 87 and S3, column 10 lines 7-37).
- With regard claim 10, Lennen further discloses wherein the one of the digital codes used in the correlation in the acquisition mode (Fig.8 element S3 and column 10 lines 7-13) comprises a locally generated version of the digital code (Fig.8 elements 86, 87 and S3, column 10 lines 7-37).
- With regard claim 11, Lennen further discloses wherein the one of the digital codes used in the correlation in the track mode (Fig.8 elements 29, 39 and S1, where S1 the first bit rate at 2.5 MHz, column 8 lines 22-25) comprises a locally

generated version of the digital code (Fig.8 elements 86, 87 and S3, column 10 lines 7-37).

- With regard claim 16, which is a system claim related to claim 5, all limitation is contained in claim 5. The explanation of all the limitation is already addressed in the above paragraph.
- With regard claim 19, Lennen further discloses wherein the means for correlating the bit streams at the first (Fig.8 elements 29, 39 and S1, where S1 the first bit rate at 2.5 MHz, column 8 lines 22-25) and second bit rates (Fig.8 element S3 and column 10 lines 7-13) comprises a plurality of correlators (Fig.8 element 88) means for respectively correlating the bit streams with locally generated version of the digital codes (Fig.8 elements 86, 87 and S3, column 10 lines 7-37).
- With regard claim 20, Lennen further discloses wherein the second bit rate, being higher than the first bit rate (Fig.8 element S2, where S2 is the second bit rate at 25 MHz which is 10 times faster than that of first bit rat, column 8 lines 22-25 and column 10 lines 14-36).

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claims 1-3, 6, 13, 14 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lenen (US 6,888,879) in view of Kohli (US 6,574,558).

- With regard claim 1, Lenen discloses all of the subject matter as described in the above paragraph except for specifically teaching the tracking and acquisition process circuit can be implemented with a semiconductor integrated circuit.

  However, Kohli teaches that the tracking and acquisition process circuit can be implemented with a semiconductor integrated circuit (Fig.5 and column 15 lines 55-65) in order to provide fast reacquisition capabilities and reduce the number of gates required on the ASIC to reduce the cost.

  Therefore, It would have been obvious to one of ordinary skill in the art at the time of the invention was made to implement the acquisition and tracking processes circuit of the Lennen's in an integrated circuit as taught by Kohli so as to provide fast reacquisition capabilities and reduce the number of gates required on the ASIC to reduce the cost.

- With regard to claim 2, Lenen discloses all of the subject matter as described in the above paragraph except for specifically teaching wherein the memory arrangement comprises a circulating shift register.

  However, Kohli teaches wherein the memory arrangement comprises a circulating shift register (Fig.5 element 122 and column 17 lines 26-43, where shift register element 122 has the exact same structure as that of a circulating shift register as defined in Fig.3 element 51 of the instant application.) in order to provide the parallel input samples to 12 channel blocks 108 for Doppler

correction (column 17 lines 36-43) so that the communication quality can be improved.

Therefore, It would have been obvious to one of ordinary skill in the art at the time of the invention was made to implement the circulating shift register as taught by Kohli into Lennen's memory arrangement so as to improve the communication quality.

- With regard claim 3, Lennen discloses all of the subject matter as described in the above paragraph except for specifically teaching wherein the circulating shift register receives the digital bit stream at a rate equal to the first bit rate and circulates at the second bit rate.

However, Kohli teaches wherein the circulating shift register receives the digital bit stream at a rate equal to the first bit rate (Fig.5 element 119 input, $2f_0$ serial shift and column 17 lines 25-43) and circulates at the second bit rate (Fig.5 element 122 output, $24f_0$ parallel load and column 17 lines 25-43) in order to provide the parallel input samples to 12 channel blocks 108 for Doppler correction (column 17 lines 36-43) so that the communication quality can be improved.

Therefore, It would have been obvious to one of ordinary skill in the art at the time of the invention was made to implement the circulating shift register wherein the circulating shift register receives the digital bit stream at a rate equal to the first bit rate and circulates at the second bit rate as taught by Kohli into Lennen's memory arrangement so as to improve the communication quality.

- With regard claim 6, which is a method claim related to claim 3, all limitation is contained in claim 3. The explanation of all the limitation is already addressed in the above paragraph.
- With regard claim 13, which is an apparatus claim related to claim 2, all limitation is contained in claim 2. The explanation of all the limitation is already addressed in the above paragraph.
- With regard claim 14, which is an apparatus claim related to claim 3, all limitation is contained in claim 3. The explanation of all the limitation is already addressed in the above paragraph.
- With regard claim 17, which is a system claim related to claim 3, all limitation is contained in claim 3. The explanation of all the limitation is already addressed in the above paragraph.

***Allowable Subject Matter***

6. Claims 4, 7, 15 and 18 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten to overcome the objection(s) set forth in this Office action and rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Conclusion***

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ted M. Wang whose telephone number is 571-272-3053. The examiner can normally be reached on M-F, 7:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chieh Fan can be reached on 571-272-3042. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ted M Wang
Examiner
Art Unit 2611

Ted M. Wang